



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.
LIMITED

CEDAW/C/1994/L.1/Add.1
25 January 1994

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Thirteenth session
17 January-4 February 1994

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE
ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON
ITS THIRTEENTH SESSION

Draft Report

Rapporteur: Ms. Teresita QUINTOS-DELES (Philippines)

Addendum

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Introduction

1. At its thirteenth session, the Committee considered the reports submitted by ... States parties under article 18 of the Convention: four initial reports, five second periodic reports, two combined initial and second periodic reports, two combined second and third periodic reports and one third periodic report. The Committee also considered ... reports on an exceptional basis. For the status of the submission of reports by States parties, see annex ... to the present report.

2. The consideration of the reports of the States parties by the Committee is summarized below, with a summary of the introductory presentations by the representatives of States parties, of the observations made and the questions asked by the members of the Committee, as well as of the replies given by the representatives of the States parties present at the meetings. The summary records provide more detailed information on the reports submitted by States parties. According to rule 49 of the rules of procedure of the Committee, when the report of a State party is being examined, the representative of the State party shall be present at the meeting of the Committee and shall participate in

discussions and answer questions concerning the report. A list of the representatives of States parties to the Convention is contained in annex ... to the present report.

Consideration of reports

1. Initial reports

Netherlands

3. The Committee considered the initial report of the Netherlands (CEDAW/C/NET/1 and Add.1, 2 and 3) at its 234th and 239th meetings on 17 and 20 January 1994 (CEDAW/C/SR.234 and 239).

4. In introducing the report of the Netherlands, which consists of three parts, one concerning the European territory and two others concerning the autonomous islands of the Netherlands Antilles and Aruba, the representative of the Government underlined that the Convention was considered to be an integral part of the internationally recognized human rights instruments that formed part of the Netherlands legal and political order. The Convention was valued not only as the international legal basis for the national programme of legal reforms, but also as a source of reference for the development of policies and programmes for women's equality. She outlined important revisions of and additions to existing legislation as a result of the ratification of the Convention.

5. In referring to the country's emancipation policy, she said that the coordination and integration of the policy in all ministries and departments was hampered by the fragmented structure of administrative and political decision-making, which constituted an obstacle to the effectiveness of the national machinery. Efforts to redress that problem included the use of the Department for the Coordination of Emancipation Policy as a centre of expertise on policy-making in matters of equality. She said that part of the emancipation-support policy was the provision of financial support to NGOs (NGOs) for their activities in this field.

6. She stated further that, under the law of the Netherlands a Convention to which the country had become a State party automatically became part of the Netherlands legal order, and that national laws and regulations, which were contrary to the Convention's provisions, lost their validity. In the course of her explanation of the ratification process, she mentioned the adoption, in the very near future, of a general equal treatment act. The Government was instructed to report to Parliament on the implementation of the Convention four years after its entry into force and every subsequent four years. She cited, as an example of the functioning of the Government's emancipation support policy, the preparation for the Committee of a "shadow report" by NGOs, which counterbalanced the official report because it accurately reflected the relationship between the Government and private voluntary organizations, and an additional advisory report by the external advisory body belonging to the national machinery.

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7. The representative of the Netherlands Antilles said that the Convention not only contributed to identifying some existing deficiencies in the infrastructure with regard to the implementation of some of its provisions, but it also showed constraints in the field of reporting in general, for instance as regards the collection of statistical information. She emphasized the relationship between economic activities and their effect on the status of women and confirmed her Government's intention never to let the economic status of the country justify non-compliance with the provisions of the Convention. She said that the pace of the Convention's implementation could be affected by different factors in the community.

8. She reported on a decrease in the unemployment rate among women in recent years and of a recent decision to apply the principle of equal pay for equal work to all civil servants. Consciousness-raising programmes on gender issues had been carried out. She also highlighted the role of the Bureau for Women's Affairs as the coordinating body of the national machinery in the field of women and development and said that one of the priority areas in its agenda was violence against women.

9. The representative of Aruba pointed out that the entry into force of the Convention had given a new impetus to the rights of the female population. The rapid economic development in the last five years had caused a sharp increase in the participation of women in the local labour force. While the proportion of women in the labour market increased to over 50 per cent in 1993, the corresponding changes in labour conditions and in the social field, which were necessary to facilitate the combination of professional work and family tasks, were still lagging behind. The Government of Aruba was, therefore, studying the possibility of part-time work and an increase in the number of day-care facilities.

10. The representative said that the predominant influence of economic factors on important areas of the society explained why it was that women were not particularly active in women's rights movements. However, they were pioneers in providing information about HIV/AIDS and were very active in providing information on, and preventing, child abuse. The Aruban Human Rights Committee, which was formally installed in 1993, dealt with reporting obligations and was authorized to advise the Government on human rights issues and to raise consciousness among the population about the existence of human rights in a society where a network of NGOs was non-existent. The Committee had also introduced human rights education in the general school curricula. The Convention had been translated into Papiamentu and presented in a simplified version to the public.

2. General observations

11. Members of the Committee commended the extensive, very detailed report, which adhered to the general guidelines and also contained ample statistics and graphs, and its presentation to the Committee. They welcomed the fact that the Convention had led to revisions and additions of existing legislation and that it was ratified without reservations. They noted that human rights education was included in school curricula and that the Convention had been translated

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into the native language of Aruba. Members were favourably impressed that, one year before presenting the second periodic report to the Committee, the Government would have to report to Parliament, and they commended the concern that was shown about the issue of sexual preference. Members took note that the Government gave support to women's groups. In reaction to the members' concern as to why NGOs had not been consulted in the course of the report's preparation, the representative explained that much value was attached to the distribution of power and the spread of responsibilities in the country. Since NGOs were independent, they were responsible only towards their respective constituencies; they could criticize, question or judge governmental policies, but were never responsible for them. The critical input of NGOs was sometimes a challenge to government policy, but was never an integral part of it; in this way the NGOs did not lose their independence.

12. Members made specific reference to the "shadow report" prepared by NGOs and were interested in the Government's reaction to some of the issues addressed in it. The representative said that it was not necessary to discuss all the issues raised in the shadow report, since many of the same issues would be addressed under the different articles of the Convention.

13. In reaction to the observation that the report should have been more result-oriented and should have given a more in-depth analysis of both the status of women and the policy approach taken by the Government, the representative explained that that was partly the result of the fact that contributions to the report came from different parts of the Administration and that it proved difficult to follow the Committee's guidelines without losing sight of the country's policy priorities. Committee members felt that the many efforts undertaken were not matched by an equal number of positive results.

14. Whereas some members commented on the fragmented nature of the national machinery, others said that its structure highlighted the political will of the Government to introduce the policy of women's rights into the mainstream. The representative replied that, in her country, national machinery meant a complex of various institutions responsible for dealing with different aspects of the advancement of women. The main political responsibility for the emancipation policy rested with the State Secretary of Social Affairs and Employment, and at the administrative level, its core was the Department for the Coordination of Emancipation Policy. The Emancipation Council and the Equal Opportunities Commission also belonged to the broad national machinery. In addition, the role played by other ministries and departments, local and regional authorities, trade unions and NGOs was also highlighted.

15. When members stated that women's issues should also be included in the mainstream of the activities of all of the government departments in the Netherlands Antilles, the representative said that the national machinery had started to function in 1989 and had been restructured under the competence of the Minister for General Affairs, who was presently the Prime Minister. In 1992, the Government organized a workshop on human rights and the reporting procedures for participants from different social strata, during which the Convention was also dealt with. It was important for the national machinery to receive information on gender bias from all interested parties in order to tackle the areas of concern in a structural way. Data were presently gathered

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in an insufficiently uniform way and that the conduct of research in the five islands that comprised the Netherlands Antilles faced practical difficulties, related to the decentralization in several policy fields and the specific needs and characteristics of the different islands. Recognizing the need for population studies, the Bureau for Women's Affairs was working on an integral draft policy plan for women and development.

16. The representative of Aruba reported that in 1986 the Government had appointed a "focal point" for women's affairs at the Directorate of Social Affairs. Despite numerous efforts, that had not yet led to the development of an integral and interdepartmental emancipation policy.

17. Members expressed their hope that the island countries would be kept informed about the presentation of their reports to the Committee and about the Committee's reactions.

3. Questions related to specific articles

Article 2

18. In reply to questions about what was meant by "the working of the Constitution on equal treatment in horizontal relationships", as quoted in the report, the representative of the European territory said that "horizontal relationships" referred to relationships between citizens, as opposed to the "vertical relationship" between citizens and the State. One of the main aims of the antidiscrimination legislation was to determine in which cases citizens were obliged to respect the fundamental rights of their fellow citizens and in which they might follow their own convictions.

19. Commending the measures undertaken to combat the problem of violence against women, members asked which measures had proved to be the most successful and requested information on the amount of money spent on those measures. The representative explained that the various instruments that had been used in that respect were changes in legislation, research and care and assistance to victims. The prevention of sexual violence was a policy priority. In 1993, approximately \$40 million was spent on various policy measures, such as shelters, information and innovative projects and the supporting structure. The responsibility in all such matters lay with various ministries.

20. Replying to the question as to how many women had made use of the possibility of filing recourse action in cases of discrimination, the representative said that, since its revision in 1989, the Equal Opportunities Act was used in some 40 to 50 court cases and over 500 cases were dealt with by the Equal Employment Opportunities Commission. Referring to the new Guidelines for the Public Prosecution concerning Cases of Discrimination of September 1993, the representative stated that they would be reviewed after the entry into force of the General Equal Opportunities Act.

21. More information was requested on the follow-up policy document on sexual violence against women and girls. The members of the Committee made positive

comments on the Government's interpretation of equal access of women to jobs in the military.

Article 3

22. In reply to the members' requests for copies of the social atlas on the situation of women, the representative said that it was available only in Dutch.

23. When asked who was responsible for financing support centres at national, regional and provincial levels and whether a coordinating body for the various levels would be set up, as well as whether the Government intended to institutionalize the funding for women's centres, the representative explained that each case was different. Some ministries subsidized certain projects on a permanent basis, whereas other organizations and national support centres were funded for limited periods. Often after the initial period an evaluation was conducted and it was decided on a case-by-case basis whether the subsidy should be prolonged and which party should take the responsibility. The overall responsibility for the emancipation support policy resided with the State Secretary for Emancipation Policy.

24. Regarding the summary of the position of women based on most recent statistics, as referred to in paragraph 323 of the report, the representative said that it was unfortunately not available in time for the session and would be sent to the members of the Committee immediately after publication.

25. Reacting to the disappointment expressed by members at the abolition of the Cabinet Committee for Emancipation Policy in 1991, the representative explained that that was the result of a process of political and administrative reform.

26. Members asked how it was possible that the Queen could be President of the Council of State, which was the highest advisory body in the country.

Article 4

27. Regarding a request for further information on the targets set and the timetables provided for temporary special measures, the representative stated that the goal of government policy was to impose positive action or preferential treatment by law, only as a measure of last resort. Although the Government had set targets to increase the number of women in almost every sphere of the civil service, no sanctions were applied if targets were not met.

Article 5

28. Members welcomed the reports from NGOs on the article and requested clarification of the policy for equal rights of lesbian women. The representative postponed presenting an overview of related government policies and programmes to the second periodic report.

Article 6

29. It was asked whether, within the Bureau of Women's Affairs, there were special departments to deal with the abuse of women and children. The

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representative of Aruba stated that the issue remained a sensitive area of concern. According to data obtained from the Police Department, offences related to the sexual abuse of women and children constituted a considerable part of their workload and the figures were increasing. A private organization had been set up to help children who were victimized by such crimes and adults could seek legal redress or obtain help at the Bureau of Family Difficulties.

30. Doubts were expressed as to whether voluntary prostitution could be considered an entirely personal matter and a profession. Confronted with the issue of the forced prostitution of immigrant women, the representative of the European territory of the Netherlands replied that traffic in women was considered a problem of forced prostitution and that persons who were illegally in the Netherlands and had been forced into prostitution would be granted a residence permit for the period of time covering any investigation into their situation and the court session.

31. Regarding the HIV/AIDS situation in the Netherlands, it was reported that the Government had been formulating a policy on HIV/AIDS since the beginning of the epidemic, a policy which was being implemented at national, regional and municipal levels, in close cooperation between the competent health ministry and interested groups. Its key aims were prevention of the further spread of HIV, care, research and prevention of discrimination against infected persons, including AIDS-information campaigns for prostitutes.

32. Regarding a question about the reasons for the increase in sexual violence, the representative said its increase was not influenced by the fact that pornography was not prohibited. It was even possible that the availability of pornography for adults had had a restraining influence on the incidence of violence against women.

Article 7

33. Members commended the Government for distinguishing between the introduction of male suffrage and universal suffrage. They expressed surprise at the scarce references in the report to policies that promoted the advancement of women. Members asked what the reactions of the Government and of NGOs were to positive measures for promoting women to decision-making posts, and they requested further clarification on the electoral system and on the possibility of modifying lists of candidates in order to introduce more women. The representative explained that one of the main aims of the emancipation policy was to try to increase the number of women in politics and public administration. As the candidates were put forward by the autonomous political parties, and the Government had no influence in that sphere, it could only exercise indirect influence through measures such as the provision of grants to political parties for activities aimed at increasing the number of women in politics or the setting-up of special working groups dealing with the issue. The political parties themselves decided on the names and the order of candidates on the list and it depended on the importance given by the individual parties to women in politics as to whether women were elected.

34. Regarding the size of grants given to political parties, the representative said that an amount of about \$2.7 million per year was given by the Government

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to political parties for training, education and related activities, but only if the activities were related to matters of importance to the functioning of the democracy, and only if a party was financially in bad shape.

35. In response to the request for an analysis of the progress made and the obstacles encountered in securing parity democracy, the representative explained that, regarding the composition of elected bodies, parity between women and men was not an objective to be achieved by the Government and that parity democracy was rejected as conflicting with the basic principles of democracy itself.

36. In answer to a question about the target figure for female Queen's Commissioners, the representative said that new Queen's Commissioners were appointed by the Cabinet, according to the relative strength of the political parties in the Second Chamber of Parliament, from among "the veterans" from the field of public administration, only a few of whom were women.

37. Regarding the number of women in administrative and political positions in provincial and municipal governments, the representative said that detailed figures would be provided to the Committee in a brochure.

38. Further questions were posed as to whether the marked decline in the membership of most political parties was the same for women and for men and whether women's membership in NGOs had increased. Considering that some parties mandated that their members belonged to a particular church, it was asked whether there was a danger of religious fanaticism.

39. Regarding the number of women deputies in the Parliament of the Netherlands Antilles, their representative stated that currently 13 per cent of the members of Parliament were women, and 30 per cent of the ministerial and junior ministerial posts were occupied by women.

Article 8

40. Asked about government policies to increase the number of women in the diplomatic service, the representative of the Netherlands explained that policy measures were geared towards the recruitment and promotion of women and that preferential treatment was applied in cases where candidates had equal qualifications. In the case of couples with both partners in the diplomatic service, a number of arrangements had proved to be satisfactory to all parties concerned.

Article 10

41. Members inquired whether programmes demonstrated that a lack of education was an obstacle to gender equality.

Article 11

42. Regarding the employment rate of women, which until recently was relatively low in the Netherlands, it was said that it could be explained by historical, economic and social development, but, that thus far social scientists had not been able to give a generally accepted answer.

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43. As to the question of whether the increased number of women in part-time employment was a manifestation of discrimination against women, the representative said that that was not the case. Most women sought part-time jobs themselves in order to achieve a better balance in their lives between their various duties, and men too were looking for part-time work.

44. Regarding questions concerning the number of working hours that qualified a job as part-time and the percentage of women working in double part-time work, the representative stated that, in general, that qualification was applied to jobs with less than 38 to 40 hours per week and that no statistics were available on the number of women working in double part-time jobs.

45. Considering that women were highly concentrated in a limited number of occupations, in spite of having the same educational level as men, several measures were being taken to redress the situation, such as awareness campaigns through teaching materials and the media.

46. The representative said that the requests for more information on pay differences between women and men and pay for work of equal value would be answered and supplemented by statistics in the second periodic report. Group action was not only possible in cases of unequal pay, but that that was one of the main reasons for having introduced group action. Data on female agricultural workers would also be supplied in the subsequent report.

47. Members inquired about whether sanctions existed in the event that the public employment services did not meet the set targets. Regarding women working in the private sector, the organizations and enterprises concerned carried out affirmative action for which they could receive government grants.

48. Asked about the volume of paid work at home, the representative said that official statistics differed a great deal from one set of statistics to another and that legislation to improve the situation of those doing paid work at home was in preparation.

49. Regarding questions about the position of women enrolled in private social insurance schemes, the representative said that any related problems should soon disappear in view of the forthcoming implementation of relevant legislation.

50. As regards questions asked about the former and the present taxation situation for women, and concern expressed by members about the negative effect of the so-called breadwinner's benefit in the system of personal income tax on women's participation in the labour market, the representative stated that the major tax reform in the 1980s removed de jure differential treatment of women and men. A person's decision to enter the labour market was influenced by various considerations. It was, therefore, not certain whether the system really functioned as a disincentive for all women to enter the labour market.

51. Members asked whether the Government provided child-care facilities to single and unmarried mothers, whether affirmative action was undertaken aimed at employing more women in managerial positions and what the social security situation and unemployment benefits of women as compared with men were.

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52. Regarding a question as to whether women who suffered discrimination at work could refer in court to article 11 of the Convention, the representative replied that it was possible only in litigation against the State, but not against a private employer or another citizen.

53. When asked whether the Government of Aruba was planning to eliminate the provision according to which dismissal on the grounds of pregnancy was legal, the representative of Aruba stated that in the instance of female government employees no cases of dismissal on the grounds of pregnancy had ever been presented. In the private sector, dismissal required special previous approval and pregnancy was not considered to be sufficient reason to grant such permission. As the Civil Code prohibited dismissal in cases of sickness, pregnancy was considered to be included under "sickness".

Article 12

54. In reaction to the comment by members that the report was not detailed enough on the question of health, the representative of the Netherlands said that in 1994 a study would be conducted on the access of women to health services.

55. Replying to a question about the availability of special programmes for women who were already infected with HIV/AIDS, the representative said that all government programmes were accessible to both women and men, however, the Government subsidized a "Women and AIDS" office and self-help groups were trying to get women out of their isolation. Although tourism was one of the main industries in Aruba, the prevalence of AIDS infection was relatively low. The National AIDS Commission offered care and counselling, as well as control measures, including health education. Specific information and guidance was also provided to prostitutes.

56. Following a request for further information on drug addiction among women and related programmes, the representative of the Netherlands explained that the central objective of the drug policy was to reduce, as much as possible, the risks that drug abuse presented to the users, their environment and society. A pragmatic approach to the problem proved to be more effective and statistics showed that generally one woman was addicted for every three men.

57. Asked about the Government's position on euthanasia, the representative stated that she did not think it proper to link euthanasia with women's issues.

58. Referring to the question of whether there was legislation regarding artificial insemination and whether it was based on ethical or on scientific principles, the representative replied that artificial insemination was not regulated by law. However, hospitals had their codes of conduct and an individual physician with a different view on the matter could refer a woman to a colleague to undertake the procedure. It was important that women applying for that procedure not be refused on the basis of their marital status, sexual preference or lifestyle. Pregnancy at an advanced age was currently not covered by law.

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59. Members of the Committee requested clarification about the abortion policy in the country. It was explained that the reason for the five-day waiting period was to safeguard responsible decision-making and to give the women the chance of reconsidering if they wished to. Abortion could be carried out only by a physician in a hospital or clinic with a permit and was allowed only in a medically or socially untenable situation in which it was deemed necessary.

Article 16

60. Turning to the question of whether any reform was under way regarding the order of names of married couples, the representative reported on a bill on equality between men and women in choosing family names that was currently being considered by Parliament.

61. Regarding the question of whether cases of rape within marriage had been dealt with in court since the entry into force of the new legislation in 1991, the representative replied that there had been some cases, most of them situations in which the spouses were divorced *de facto*, but not *de jure*. Replying to a related question, she said that, before adopting that law, a replacement of the words "through force" by "against the will" had not been considered, since it would have given a chance to question the victim about her attitudes.

62. Regarding the high number of divorces in the Netherlands Antilles, the social, cultural, economic and political reasons for that phenomenon and the question as to whether it was not also influenced by the low minimum age of marriage for women, the representative replied that currently the Civil Code was undergoing an integral revision. In spite of the low minimum age of marriage, women generally entered into marriage at the age of 18 or above. Experience showed that reasons for divorce were short periods of marriage, especially if the wife was self-supporting, domestic violence against women, unfaithfulness of the husband and the general empowerment of women.

63. Responding to an additional question relating to international technical cooperation, the representative stated that development cooperation, as regards the women in development policy had to operate within the overall development policy, which might force the Government to take a more selective approach.



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Draft report

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**III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
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Guyana

1. The Committee considered the initial report of Guyana (CEDAW/C/5/Add.63) at its 235th and 239th meetings, on 18 and 20 January 1994 (CEDAW/C/SR.235 and 239).
2. In introducing the report, the representative of Guyana emphasized that the global economic crisis of the 1980s and the concomitant recession had hit her country hard as it was one of the most vulnerable. Forty per cent of the population in the countries of Latin America and the Caribbean were living under conditions of poverty, unable to satisfy basic needs. Owing to their vulnerable position in society, women were more harshly affected by the socio-economic crisis. The fact that poverty affected women more than men was a common phenomenon in the region.
3. As a result of the economic problems, commencing with the oil crisis in the 1970s, the "cooperative socialism" that had been the official policy of Guyana, the country had undergone a critical period, which had led to a continuous breakdown of the basic infrastructure. Growing unemployment and low wages had led to increased internal migration and emigration of men. Female-headed households had increased from 24.4 per cent in 1980, to 29.5 per cent in 1992.

The percentage of permanent female emigrants had also increased in the last years, resulting in a higher number of male-headed single-parent households. The influx of women into the labour force had brought with it the most profound changes in the labour market.

4. Guyana had been rated as one of the poorest countries in the Western hemisphere. The widespread impoverishment of the majority of Guyanese had brought with it a continuous decline in per capita production and real wages while prices of basic commodities were rising; a severe reduction in the quality of the educational system; hunger, malnutrition, homelessness and an increasing number of street children; inadequate housing and a decline in the public health services. As a result of such neglect of the development of human resources, the last few years had witnessed a drastic decrease in life expectancy and a rise in infant mortality.

5. Structural adjustment programmes (SAPs), introduced in response to the economic problems, had brought about new forms of stress, which added to the crisis created by prior mismanagement. Severe shortages in the basic food supply had had an impact on women who were forced to queue up for long hours in order to purchase basic commodities. Cuts in public expenditure had brought about a decline in social services, particularly health and education, as well as in infrastructure, including transportation, water supply and electricity. Women, as primary household managers and income earners, were particularly affected.

1. General observations

6. Members of the Committee welcomed the very candid report, which had been presented with frankness by a high-level political representative. They recalled that Guyana had demonstrated a long commitment to the Convention and was among the first Member States to sign and ratify the Convention without reservation. It had also been the first country of the region to present a candidate for membership of the Committee.

7. Members of the Committee welcomed the political will to implement the Convention, but were aware of the cultural, social and economic constraints to its implementation. Asked whether all the provisions of the Convention were fully implemented in the legislation of the country, the representative explained that certain articles of the Convention were dealt with in statutes, which were enforceable in the courts. There was no tardiness on the part of the Government in reducing discrimination against women, since the 1980 Constitution already contained provisions with respect to equality for women. In 1983 the Children Born out of Wedlock Act was passed, which removed any discrimination against children born out of wedlock. In 1990, the Equal Rights Act was passed by Parliament, giving women the right to seek redress for discriminatory practices on the basis of sex. The implementation of the Convention had improved the status of women generally, raised consciousness about the issue in women's organizations and in male-dominated institutions, and focused attention on the remaining obstacles.

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8. Members were interested to learn whether the Convention could be invoked in the event of the violation of women's rights, and what was the relationship between national legislation and the Convention. The representative replied that under the provisions of the law, women in Guyana were given a significant degree of protection. Women's access to the courts was afforded by way of the constitutional and municipal law provisions.

9. Concerning a question about the time-frame of the programme for the advancement of women, the representative replied that a national policy statement on women existed, but that several ongoing programmes for the integration of women in development could not be fully implemented because of economic constraints.

10. Members noted that the report emphasized elimination of de jure discrimination, but that more information was needed on the de facto situation of women. In particular, more statistical data should be provided. They invited the Government, when preparing subsequent reports, to refer to existing norms and facts and to interpret changes that had taken place. That would avoid any contradictions that might appear in the present report. The representative said that her Government was fully aware of the deficiencies in the collection of data and statistics and was searching for assistance from international agencies to remedy the situation.

11. Asked whether NGOs had been consulted when preparing the report, the representative underlined that the Women's Affairs Bureau, as the national machinery, was in direct liaison with women's NGOs, and had been largely responsible for the preparation of the report.

12. Members of the Committee welcomed the clear description of the negative impact of SAPs on women, which illustrated how political and economic change would affect women negatively, if human resources development was not considered. Members asked for further information on actions taken by the Government to mitigate the negative impact of SAPs on women and children. The representative mentioned that, under the Social Impact Amelioration Programme, periodic payments were made to elderly women and pregnant and lactating mothers, for a limited period of time, to cushion the effects of the withdrawal of government subsidies of basic goods. Guyana received assistance from a number of United Nations programmes and specialized agencies and other donors. Seventeen health-care projects had been carried out. However, significant delays in the implementation of projects were experienced, and the Government's capacity to absorb further badly needed assistance was limited by its inability to provide administrative and financial counterparts.

13. Members praised the active role women in Guyana had played in the struggle for independence, which should guarantee them the right to enjoy fundamental rights without conditions. Asked why the basic rights in the Constitution were linked not only to respect for the rights and freedoms of others, but also to respect for the public interest, the representative said that this did not lead to abuse and injustice since the courts, as guardians of the rights of individuals under the Constitution, could be approached by any aggrieved party seeking redress.

2. Questions related to specific articles

Article 2

14. Given the existence of different ethnic and indigenous groups in Guyana, members wanted to know if they had preserved their cultural roots, because culture could be used as a unifying force in development. More information was required on traditional practice and religious traditions, and the way they affected women and undermined the provisions of the Convention. The representative replied that the largest ethnic communities were the East Indians (49.5 per cent) and the Africans (35.6 per cent); the indigenous population of Amerindians made up 6.8 per cent of the population. As a result of the divide-and-rule practice of colonialism, the two major racial groups were divided in the late 1950s and again in the 1960s. Amerindians had originally had their own culture, but the process of socialization had altered some sections of the indigenous people, who had become involved in national life in the field of education, health and training. Under the Constitution, all citizens had the right to practice their customs and religion. Some religious norms were used to keep women down, not giving them the right to choose their husbands and not allowing them into male-dominated religious positions. However, the fundamental problem of male domination over women was inherent to all racial groups.

Article 3

15. Members of the Committee appreciated the appointment of a minister for the advancement of women and requested further information on the mandate of the Minister, the limits imposed on her work and the existence of focal points in the various other ministries. The representative replied that the Ministry of Labour, Human Services, Social Security and Housing had a Senior Minister in charge of Labour and Housing and a Junior Minister responsible for Human Services and Social Security, which included women's affairs as 1 of 11 areas of responsibility. No limits were imposed on the work of the minister. With regard to the national machinery for the advancement of women, the Minister was collaborating on a weekly basis with the administrators of the Women's Affairs Bureau.

Article 4

16. It was asked which temporary measures had been taken to accelerate de facto equality between men and women. Members also inquired about existing programmes to increase the number of women in decision-making positions at all levels.

17. The representative replied that the Women's Affairs Bureau was engaged in project monitoring and the implementation of projects directly targeting women, in particular in the acquisition of skills and education, training in small business management and health.

Article 5

18. Assuming a high incidence of violence against women as in any society, members asked for information on the extent of violence in all its forms, the

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measures taken by the Government to eliminate violence, police intervention and court procedures. The representative replied that violence occurred at all levels of society and that about 48 per cent of women had been physically assaulted in 1993. Only recently had women started to report assaults committed against them by their spouses or common-law partners. While arresting the perpetrators, male police very often displayed reluctance to institute charges and considered the assaults a purely domestic matter. Women's organizations had therefore called for female investigators. Refuges and shelters for abused women, as well as a hotline, had been established. A draft Domestic Violence Bill was to be placed before Parliament, following the format of similar bills in other Caribbean countries. The Government and NGOs were planning an education programme to sensitize young people about other forms of conflict resolution, self-esteem and respect for females.

Article 6

19. Members sought more information on prostitution and related activities and wanted to know whether laws and specific programmes had had an impact on reducing the number of prostitutes. The representative stated that the law penalized any male person for knowingly living, wholly or partly, on the earnings of prostitution or soliciting for an immoral purpose. To prevent the increase of prostitution linked to the urban migration of young women, efforts were being made to raise the living standards in rural areas and to encourage them to undertake income-generating activities.

Article 7

20. Noting that the report gave figures on the percentage of women in certain high-level positions, members asked further information on the number of women in middle-level management positions, on women's participation in NGOs, political parties and labour unions. The representative replied that women constituted a small but growing pool of middle- and lower-level managers and that their participation had risen from 14.9 per cent in 1985 to 25.4 per cent in 1993. However, women's representation at the executive level had decreased sharply, from 25.5 per cent to 12.4 per cent during the same period. Only in the low-paying service sector and the teaching professions did women play a significant role in decision-making. Women were active in the trade unions, in both the private and the public sector, holding a few high positions in management and the executive branches. Exclusively female trade union organizations did not exist.

21. She stated that women were a clear minority at the higher echelons of public and political life and were grossly underrepresented in top positions. Female participation in the parliamentary assembly had increased significantly from 14 per cent in 1980 to 22 per cent in 1985, but decreased to 15.7 per cent in 1993 with the change of Government. The imbalance in male-female representation in Parliament was also reflected in the Government, where only two women had been appointed, one as Health Minister and the other as Minister for Labour, Human Services and Social Security. However, in other decision-making positions in the Government, the situation had improved with an increase in the number of permanent secretaries and other high-level positions from 21.4 per cent in 1987 to 33.3 per cent in 1993. At the regional level, the

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percentage of female mayors had declined from 40 per cent in 1980 to 20 per cent in 1986 and 16.7 per cent in 1993.

22. As regards women's participation in political parties, she recalled women's historical involvement in political life, especially in the work of parties and during elections. The major problem was that only a few women could attain leadership roles in their parties owing to male competition, lack of assertiveness and their additional burden of child-rearing.

Article 8

23. Members acknowledged the frankness of the part of the report under discussion, but asked for additional explanation about the obstacles that prevented women from participating in decision-making and whether there was actual equality of opportunity for women in access to power in public life. The representative replied that the stereotypical attitudes of women and men inhibited women's access to decision-making positions. As more women entered professional life, that trend would hopefully change.

Article 10

24. Asked for further data on school drop-out rates for girls, the representative stated that only 18.9 per cent of women dropped out at the tertiary level, compared to 81.2 per cent for men. No data were available for drop-out rates at the primary and secondary levels but they would be supplied in the next report. Drop-outs were given a second chance to pursue higher studies. In response to the question of whether the programmes mentioned in the report were aimed at stereotypical vocational skills, she stated that programmes were open to both sexes, but the women opted for traditionally female-oriented programmes of study.

Article 11

25. More information was sought on equal access to training, job segregation, women's employment in health, education and the industrial sector and their contribution to agriculture.

26. The representative said that women had equal access to education and training. Training was an integral part of women's involvement in work. The gender-specific division of labour was linked to the traditional definition of women's economic roles, with the majority of women being employed in the clerical, sales and service sectors. A low percentage of women found employment in the agricultural sector, where women's involvement in household subsistence farming and poultry rearing for additional family income was not taken into account.

27. A high proportion of economically inactive females was involved in domestic duties, but the figure had declined owing to the changing role of women, who needed to supplement family income.

28. Members wished to know if women had equal opportunity with men in obtaining full-time jobs. The representative noted that although women had equal

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opportunity with men, they were burdened by child-rearing activities traditionally considered a female responsibility. The lack of child-care facilities affected women's participation in the labour force negatively, in particular if they could not rely on grandparents or elderly relatives. Government and NGOs were providing some day care for children.

29. In reply to the question about equal remuneration for men and women, the representative quoted the 1990 Equal Rights Act, which provided inter alia, that women and men should be paid equal remuneration for the same work or work of the same nature. Although in general women were paid the same as men, in some private sector organizations women with similar qualifications and performing the same tasks were still paid less.

Article 12

30. Members required further information on programmes to combat the AIDS/HIV pandemic and on existing facilities for infected women. The representative underlined that the increase in HIV infection among women far exceeded that of men, although fewer women carried the virus than men. The Government had launched education programmes to combat the spread of AIDS among young people, encouraging the use and acceptance of condoms. Discussions on removing taboos associated with sexual behaviour had taken place. She also reported on efforts being made to end the stigmatization of AIDS victims.

31. As regards the severe problem of anaemia, a very incapacitating illness for women, members wanted to know if female malnutrition resulted from the traditional diet, lack of variety of foods or poverty. Given the decrease in life expectancy, members asked for the common causes of female mortality. The representative stated that high-risk pregnancies, lack of trained medical attendants, malnutrition and abortion were some of the contributing factors. A 50 per cent decrease in government spending on health services had had an impact on the 86 per cent of the population considered to be living under the poverty line, and on women in particular.

32. Concerning family planning, members requested information on the existence of a national family planning programme, on access to special maternity services and on the availability, use and general acceptance of contraceptives. The representative informed the Committee that family planning advice and counselling was conducted at 166 clinics across the country and included the provision of various forms of contraceptives, prenatal and postnatal services, immunizations, pap smears, pregnancy tests, infertility and fertility counselling and treatment. Women, in general, accepted family planning very well. A responsible parenthood organization was conducting educational programmes for young people. The representative also said there was no government policy on family planning owing to the demographic trends of high mortality and emigration in Guyana.

33. On the incidence of abortion, the representative stated that the numbers of illegal abortions was high as abortion was often used as a form of contraception by women having no access to other family planning methods. The highest number of abortions occurred in the 24-29 year age group and among East Indian women,

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followed by Black women. There was an ongoing debate on the decriminalization of abortion as proposed in a bill tabled in Parliament.

Article 14

34. Members of the Committee welcomed the policy of decentralization and wished to obtain further information on the involvement of women at the district level. The representative replied that women were generally involved in all sectors of rural life. After the 1992 elections, there had been a resurgence of community development groups, in which women played an important role.

Article 16

35. With regard to reform of the family law, members expressed the opinion that a more comprehensive approach should be preferred to a segmented process of amendment. Harmonization with the rest of the Caribbean countries should be given special attention. The representative agreed and added that the establishment of a family court had been called for by women's organizations over the past decade. She also informed the Committee about the Married Persons Property Amendment Act and the Family Dependents Provision Act passed in 1990, which changed the laws relating to the division of the property of spouses upon the dissolution of marriage or the break-up of a common-law relationship. In reply to a question on the equal division of marital property in case of divorce, she stated that the Married Persons Property Amendment Act made provisions for the services of the wife in the home to be quantified in assessing her contribution to the acquisition of marital property.

36. More information on female-headed households was asked for, in particular on the incidence in different ethnic groups, on their cultural acceptance and government programmes for providing assistance. The representative regretted that no data on female-headed households were available, but promised that the second periodic report would supply that information. Although the incidence of female-headed families was widespread, it was highest among the Afro-Guyanese population.

37. Specific information was sought on the Equal Rights Act that enabled courts to define discrimination and on any instances when the law had been applied. The representative informed the Committee that the Act did not define discrimination and had never been considered in the courts owing to its relatively recent passage. No cases alleging discrimination had been brought up so far.
